

SECTION: SUPPORT EMPLOYEES

TITLE: ANTICIPATED DISABILITY

ADOPTED: June 20, 1994

REVISED:

FAIRVIEW SCHOOL DISTRICT

<p>1. Purpose P.L. 103-3 of 1993</p> <p>2. Authority</p> <p>3. Guidelines</p> <p>SC 1418</p>	<p style="text-align: center;">535. ANTICIPATED DISABILITY</p> <p>Leaves of absence will be provided for any support employee of this district whose absence from duties will be required for a foreseeable event of disability such as childbirth or surgery. Such provisions shall be governed by considerations for the health of employees, the need for continuity in school operations, and the maintenance of a qualified district staff.</p> <p>The Board reserves the right to specify the point at which such leave shall commence consistent with the health needs of the employee, the length of time for which leave shall continue after the disabling event and the conditions of pay during such leave. The Board will require notice by the employee of anticipated disability and the continuing certification of an employee's fitness to perform duties after such notice.</p> <p>A. <u>Effect Of Anticipated Disability Upon Employment</u></p> <ol style="list-style-type: none"> 1. <u>Notice</u> - An employee shall notify his/her supervisor of the anticipated disability as soon as s/he is under medical supervision for the condition and a date is projected for the anticipated disability. 2. <u>Certification Of Fitness</u> - The employee shall present to his/her supervisor a written statement by his/her physician of the employee's physical capacity to perform duties assigned. <p>The district need not assume that an employee's statement or his/her physician's statement establishes fitness conclusively, but may require a review and examination by the school physician or a physician selected by the district. In the event the physician of an employee shall be of a contrary opinion to that of the physician selected by the district, then the employee and the district shall mutually agree upon the opinion of an impartial third physician whose medical opinion shall be conclusive and binding on the issue of medical capacity to continue in the performance of assigned duties.</p>
--	---

If as a result of such examination the employee is found to be fit to perform assigned duties, s/he may do so or request a leave of absence in accordance with Part C of this policy.

If as a result of such examination the employee is found to be unfit to perform assigned duties, the employee shall be placed on mandatory sick leave with such compensation to which s/he is entitled under the sick leave policies of this Board until proof of recovery satisfactory to the Board is furnished.

B. Employee Request For Additional Leave For Reasons Of Disability

An employee may request a disability leave of absence to commence before this policy requires that such leave begin or to extend beyond the period of absence required by the policy following disability. Such request shall be accompanied by a written statement of the employee's physician certifying that s/he is unable to perform the duties of his/her position. Such disability leave shall be subject to the policies for sick leave.

C. Employee Request For Additional Leave For Reasons Not Related To Disability

An employee may request a leave of absence to commence before this policy requires that such leave begin or to extend beyond the period of absence required by the Board following disability. Such request shall be subject to the policy on leave of absence, and the leave, when granted, shall be without pay. The employee on voluntary leave of absence is not eligible for sick leave pay if disability does then occur.

It is the policy of the District to comply with the Family Medical Leave Act of 1993, regardless of any other provision of District policy, any provision in any contract to which the District is party, or any prevailing practice which conflicts with any provision of that Act.